

## A CUSTOMS RAID ON SHONTS

HOUSE SEARCHED WHILE THE FAMILY WAS AWAY.

Discharged Servant Went to a Newspaper With a Tale of Wholesale Smuggling—All the Clothes Inventoried and Inventory Published—Duties of \$300 Claimed.

Theodore P. Shonta, president of the Interborough-Metropolitan and formerly chairman of President Roosevelt's Ishman Canal Commission, has had a little experience with the United States customs authorities here which Mr. Shonta is not inclined to view with the equanimity of one who believes that the Government can do no wrong.

It isn't what happened on Monday, when five employees of the new Collector of the Port went through Mr. Shonta's house in the search for dutiable goods brought in undeclared, that has aggrieved Mr. Shonta, because when he was informed by Collector Fowler that the authorities would like to look over the wardrobe of the family Mr. Shonta gave them every facility and threw open his closets and his check book too, showing what they had brought abroad. What makes him think that he was ill treated is that at the instance of a servant under notice to quit, and of a yellow newspaper to which he went to get square, the customs authorities some weeks ago sent up an inspector, who was admitted to the house when the family was away and who inventoried all the wearing apparel in the house, which inventory, afterward embellished with an estimated valuation of \$10,000 and an intimation that the whole lot was smuggled goods, was given to the yellow newspaper for publication. Publication, however, was deferred until after the open visit of Monday and it was not until he read yesterday a minute description of what each closet in his house contained, just where his trousers were hanging and a complete plan of the house that Mr. Shonta knew under how deep an obligation he was to the customs authorities.

As related yesterday for the Shonta family, the discharged servant was Mrs. Johnson, who was employed as a housekeeper when Mrs. Shonta and her two daughters returned from Europe on September 3. They brought with them twenty trunks, which were examined at the pier by an inspector and an appraiser. Mr. Shonta met his family on the pier and remained while the examination lasted, which was about four hours. It was said for Mr. Shonta yesterday that because of the unusual length of time taken he was inclined to feel that an attempt was being made possible to rub it in as evidence that he was no longer connected with the Government.

All of the gowns were hauled over and Mrs. Shonta and her daughters pointed out those gowns that had been taken over and worn. They did not know, it was explained yesterday, that the gowns they had bought on their arrival in New York and which they wore when they were abroad, believing that the law applied only to new and unworn clothing. When the inspectors asked if they had anything new with them they pointed out some presents upon which duty was paid. There were no gowns in the trunks that had not been worn.

The housekeeper, Mrs. Johnson, was discharged in November. She told Mrs. Shonta that she was ill and Mrs. Shonta told her to remain until she was better and could get another place. She remained more than six weeks, during which time the family has since learned she began writing anonymous letters to the newspaper.

The newspaper took the woman to the Collector a month ago, and it was then that an inspector, said to have been a Miss Ellsworth, was assigned by the Collector to accompany Mrs. Johnson to the Shonta house, at 123 East Thirty-fifth street, and make an inspection while the family was out. The ex-housekeeper on this occasion is said to have shown the inspectors all over the house and to have told her that the wearing apparel of the Shonta family was overlooked, the value of each gown was carefully noted and even some articles of jewelry in the house came in for description. Some of this was described as gifts of the Duc de Chaulnes, who is to marry Miss Theodora Shonta next month.

The discharged servant informed the representatives of the Collector, it was said, that some of the gowns were part of the trousseau, although it was said yesterday for the Shonta family that none of the trousseau had arrived at the house at that time.

Mrs. Shonta and her daughters did not know of the inspection that had been made of their belongings in their absence nor that the discharged housekeeper had got a careful description of their bedrooms and closets for the newspaper. The first intimation they had that anything was up came a few days ago, when Mr. Shonta, Mr. Fowler called up Mr. Shonta and said that complaint had been brought to the Customs House that his family had brought in dutiable goods, which they had not declared and that the goods were in his house.

Mr. Shonta said that he didn't believe it, but that if the Collector wanted to investigate his house he was at his disposal. Furthermore, he said, the Collector could have the checkbook which Mrs. Shonta carried abroad with her. Mr. Shonta explained that since the Collector's visit he did not come in yet, and consequently this would not be shown in the checkbook.

Mr. Fowler, on being told this, said that Mr. Shonta thought it would be better to wait until the bills had come in and have everything appraised at the same time. Mr. Shonta told his wife and daughters of the matter and also told that everything must be left as it was. He even told them not to take out any of the discarded clothes which had been packed up in the house for some poor people in the West.

On Saturday the Collector's office called Mr. Shonta up again and asked permission for some inspectors to go through the house. The Collector wanted to know if Mr. Shonta could be at the Waterford Hotel after when his men called, but Mr. Shonta had an engagement and told the Collector that he didn't see any necessity for him to be present any longer, as long as the other members of the family were there.

"Of course I'm going on the assumption that your men are honest," Mr. Shonta is reported to have said to the Collector, "but if they're not, why perhaps somebody had better be there."

The Collector's force didn't call on Saturday, but word was sent that they would be up Monday afternoon. One of the visitors was Miss Ellsworth, and the others were Special Attorney Eaton and Appraisers Treadwell and Bruges. Mr. Shonta sent up a representative from his office and gave instructions to his only to give every facility to the appraisers and to take them through the house, not knowing of course that the house had been searched once already.

Mrs. Shonta and her daughters brought out all their clothes and the examination lasted two hours and more. The upshot of the examination was that the appraisers found six or seven gowns which Mrs. Shonta readily admitted had been purchased abroad last summer, but who she said had not been declared because she didn't know that gowns that had been worn abroad were dutiable.

The results of the examination were reported to the Collector yesterday, and Mr. Shonta was informed that the dutiable dresses discovered would not amount in value to more than \$1,000. As each member of the Shonta family, including the French maid, was allowed under the law to bring in \$100 worth of clothes, this would reduce the amount by \$400, and the Collector said that if it decides to let Mr. Shonta pay and not visit him with the penalty of forfeiture, will be between \$800 and \$900.

The inspectors were said to have been considerably surprised to find that not only were the boxes waiting to be shipped

filled with gowns bought some years ago and discarded, but that most of the clothes instead of being packed with smuggled goods, contained clothes that had been brought over before or had been made in this country.

Usually cases of smuggling are followed up by a special Treasury agent, but in this case the Collector took entire charge of the investigation of the servant's story and neither the Treasury agents nor the Surveyor had had anything to do with it. All that the Collector would say yesterday was contained in a typewritten statement in which, after stating that his attention had been called to the article published in the newspaper relative to Mr. Shonta and "the alleged bringing into this port last September of certain personal effects," he said: "I have paid no duty."

"Mr. Shonta will not be persecuted by reason of this official business or standing, nor will there be any discrimination against him by reason of his position in life. The Government has not completed its investigation, which is now being carried forward. When the facts are ascertained they will be reported to the Secretary of the Treasury, to be disposed of by him as the law directs. It would be manifestly improper for this office to express any opinion in the premises, regret that I am unable to furnish you with further detailed information."

From the Collector's statement it was gathered that it would be left to the Court to decide whether or not, as a result of the servant and the Collector's efforts, Mr. Shonta should pay duty or give up the dresses which have already been worn almost as many times as fashion decrees is proper.

The discharged servant left Mr. Shonta's house a few weeks ago.

## CANADA'S DEAL WITH JAPAN.

Mr. Lemieux Presents Letter of Hayashi to Parliament at Ottawa.

OTTAWA, Jan. 21.—The Hon. Rodolphe Lemieux, Canadian Envoy to Tokio, gave this evening to the Canadian Parliament the steps arranged for settlement of the Japanese immigration question. A long debate ensued. The most important announcement is contained in the promise in the following letter sent by Baron Hayashi, Japanese Minister of Foreign Affairs, to Mr. Lemieux just before he left Tokio for Ottawa.

"I have the honor to state that although the existing treaty between Japan and Canada absolutely guarantees to Japanese subjects full liberty to enter, travel and reside in any part of the Dominion of Canada, yet it is not the intention of the Imperial Government to insist upon the complete enjoyment of rights and privileges guaranteed by these stipulations when that would involve disregard of special conditions which may prevail in Canada from time to time.

Acting in this spirit, and having particularly in mind the existing conditions of recent occurrence in British Columbia, the Imperial Government has decided to take efficient means to restrict immigration to Canada, in carrying out the provisions of the Imperial Government, in pursuance of the policy above stated, will join careful consideration as to local conditions prevailing in Canada, with a view to meet the desires of the Government of the Dominion as far as is compatible with the spirit of the treaty and the dignity of the State.

The letter goes on to say that the Japanese Government desires by every means within its power to maintain the cordial relations now existing, which are so mutually beneficial to Canada and Japan. The fact that this engagement to restrict immigration to Canada was given of Japan's own free will was, in Mr. Lemieux's view, the most binding on that country. It had shown this by already suppressing as a result of the negotiations emigration companies as being prejudicial to the interests of Canada.

All immigration of contract laborers, artisans included, is now prohibited, unless they come from Japan at the request of the Dominion Government. Mr. Lemieux explained that students, merchants and bona fide tourists from Japan are as heretofore permitted to enter Canada, but that regarding immigration from the Hawaiian Islands, that question was already settled.

The Japanese Government had admitted that it had no right to restrict immigration or to control over immigration from Honolulu to Canada, but Canada's alien labor act provided against the importation of such labor from the United States. "I can announce," said Mr. Lemieux, "that we have eliminated from this issue any feature that could give rise to apprehension, the value of such gown was carefully noted and even some articles of jewelry in the house came in for description. Some of this was described as gifts of the Duc de Chaulnes, who is to marry Miss Theodora Shonta next month."

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## RAINES PRODS THE SENATE

GET BUSY, HE SAYS, IF YOU DON'T WANT TO STAY UNTIL JUNE.

But the Do Nothing Policy Continues—Most Members Waiting for the Banking Legislation—Chances of a Repeal of the Percy-Gray Law Still Remote.

ALBANY, Jan. 21.—Senator John Raines in his capacity of majority leader astonished his colleagues in the Senate to-day by calling upon the Senate committees to get to work.

"If you don't want to stay here until June you had better get busy," he said. Even this admonition conveyed a little meaning to the members of the Senate. All are in a quandary. The one desire is to get through with the session and do as little business as possible, but at the same time appear to be devoting considerable time to questions of state. Aside from the legislation recommended in the Governor's message no important legislation that demands immediate attention has been introduced.

As far as can be seen on the surface there is no prospect of an immediate change in the sentiment of the members of the Legislature toward the reforms the Governor recommended. Strange as it may seem, the members of the Legislature are receiving but few calls upon them to vote to repeal the Percy-Gray banking law. With the knowledge that both Senator Raines and Speaker Wadsworth are opposed to repealing this law and that the majority of members of the Legislature are in accord with their views the chances of passing the repeal legislation are considered just as remote now as when the bills were introduced.

Most of the members are waiting for the banking legislation that is soon to be introduced, and it is believed that the legislation that will receive far more consideration than anything else the Governor has recommended.

Clark Williams, State Superintendent of Banks, conferred further to-day with the members of the two banking committees of the Legislature regarding the recommendations for changes in the banking law made by himself and the Hepburn commission, which are identical, save in the matter of trust company reserves.

After a brief discussion it was concluded that the question could best be approached after Mr. Williams had bills drafted embracing these recommendations.

Further conferences will follow the preparation of these bills.

Supt. Williams will hold next Tuesday another conference with the members of the two committees for the sole purpose of discussing the question of reserves. The only topic threshed out to-day's conference was his recommendation that the payment of interest upon savings deposits be confined to savings banks.

Few of the bills introduced this year are new, most of them being old times dealing with subjects that have become almost moss covered. Last year as soon as the Governor's message was read members of the two houses fell to work on the bills that they thought would carry the Governor's ideas.

The old time woman's suffrage proposed constitutional amendment was introduced to-day by Senator Hooker amid a ripple of laughter.

Senator Cordts introduced a bill providing that automobiles shall be fitted with automatic lamps that will throw the light ahead and behind and thus save the driver the trouble of turning on the lights at all. Senator Fraxley introduced a bill amending the Penal Code so as to make certain that there can be no interference with sacred concerts on Sundays in New York city.

Assemblyman Liebman has come to the relief of prospective brides and bridegrooms who blush to go before town and city clerks and answer the questions propounded by those officials before they will issue a marriage license. Assemblyman Liebman introduced a bill that provides that the couple shall get their license from the clerk of the town or city where they are to be married. The bride is relieved of the embarrassment of going before the clerk.

Assemblyman A. E. Smith reintroduced his bill of last year prohibiting the sale and manufacture of cigarettes in this State.

The State Labor Commissioner is to be elected by the Senate and the Governor and other State officers are elected if a bill of Assemblyman Cuvillier becomes a law. The bill fixes the salary of the commissioner at \$7,000.

The bills drafted by the Advisory Commission on Taxation and Finance appointed by Mayor McMillan were introduced by Senator Saxe at the request of the New York city authorities. The substance of these measures has been printed already. They are designed to increase the revenue of taxes and the selling of the property of delinquents.

Assemblyman Yale introduced a bill that will permit Brooklyn to go into the county to get a water supply. His bill repeals the law of 1896 which prevents a municipality from going into a county within forty miles of the city to get the services of the county to certify that the water supplies of the county are necessary for the consumption of the county.

## WORKING FOR A NEW CANAL

Steps Taken at Albany to Have a Deep Waterway from Lake Ontario to the Hudson.

ALBANY, Jan. 21.—Legislators are evincing much interest in the project of State Superintendent of Public Works Frederick C. Stevens regarding the \$101,000,000 canal. Bills have been introduced by Senator Wemple and Assemblyman Frisbie, Republicans, of Schoenady, with a view of having the Federal Government join in the cost of constructing a deep water canal as suggested by Supt. Stevens.

The advocates of the deep canal folly are to have a hard time at this legislative session in securing additional appropriations to provide for a continuance of the work.

Supt. Stevens's plan embraces a 21 foot deep waterway from the head of navigation on the Hudson River to the Oswego River and extending through Oneida Lake in the center of the State, then utilizing the Oswego River at Three Rivers to Lake Ontario. From Three Rivers a canal would be constructed across the other half of the State to Buffalo, as at present planned, and the proposed canal along the Champlain Canal route would be built. Supt. Stevens said to-night:

The present large canal plans would be carried out except instead of having a large canal from Waterford to Three Rivers along the present Erie Canal and from Three Rivers to Lake Ontario along the present Oswego Canal we would have a twenty-one foot deep waterway, half of the cost of which would be borne by the Federal Government. These changed canal plans would be carried out at a cost within the proposed \$101,000,000 canal expenditure by the State, with the Federal Government paying half the cost of the deep waterway.

"The deep waterways convention held a few weeks ago at Washington enthusiastically endorsed a bill introduced by the Federal Government expend \$50,000,000 a year until \$500,000,000 is spent in providing deep waterways in vital commercial sections of the country. The bill would take steps to secure an expenditure of some of this money here and there could be no more laudable outlet for it than in building the proposed waterway."

Vessel Supposed to Be Lost May Be Safe.

SEATTLE, Wash., Jan. 21.—A despatch from the Norwegian steamship Tyra reports that the Tyra sighted the missing British ship Hartfield Wednesday last forty miles inside the straits, east of Cape Flattery. She was on her beam ends with her forward engine inverted as a distress signal. She seemed uncontrollable. Seven hours after she was sighted the wind changed to northeast and the vessel was blown out to sea.

## NIGHT COURT REFUGE.

Miss Miner Now Has a Home for Women Arraigned There.

At a conference held yesterday morning under the auspices of the Charity Organization Society in the assembly hall of the United Charities Building, 105 East Twenty-second street, the "evils of pauperism" were discussed in connection with the possibility of overcoming them by means of religious and charitable organizations.

The chief speaker was Judge Charles S. Whitman, formerly of the Court of General Sessions, who explained in detail the purpose and methods of the night court, which he was largely instrumental in founding. Expressions of horror followed his description of the process of obtaining the spots obtained from the victims of the system which he said had obtained in the Magistrate's courts, and immediately afterward he had a hard time explaining to a deeply interested woman how a policeman who had arrested a person for the commission of a definite misdemeanor could swear the next day in open court that he had not a shred of evidence to prove that the prisoner had been guilty of such crime.

Miss Maud E. Miner, who is the probation officer of the night court, gave a short résumé of her work among the women and girls committed to her charge. She said a great difficulty had been that there was no special place to which she could take her probationers at a moment's notice with the assurance that they could obtain shelter for the night.

Miss Grace Dodge gave some account of a philanthropic citizen who has agreed to pay the rent of two stories of a private house in West Tenth street, over which Miss Miner shall have complete control.

Dr. S. A. Knopf supplemented Miss Miner's account by pointing out the effect that another philanthropist had contributed \$100 to be used in defraying the expenses of a resident woman physician for the purpose of establishing a conference recommended the establishment of a home for the benefit of women discharged from the Magistrate's courts.

Miss Grace Dodge gave some account of the good accomplished by the Travelers Aid Association, representatives of which are now stationed at the Grand Central and Pennsylvania Stations, as well as at the docks of the principal steamship companies.

When the association has sufficient funds, Miss Dodge said, it will place agents at the other railroad stations in or near New York.

## ATTACKS EX-GOV. WARFIELD.

President Seth of Maryland Senate Alleges Corruption in Speech on Floor.

ANNEAPOLIS, Md., Jan. 21.—Gen. Joseph B. Seth, President of the Maryland Senate, in the regular session of this afternoon made an attack on ex-Gov. Warfield, offering specific and sensational charges of corruption and connivance in the misuse of public money.

President Seth was stung by the indirect charges of dishonesty made by Gov. Warfield in his repeated statements that unless employees were placed on the rolls of the Legislature two years ago, Gen. Seth being President of the Senate at that time.

President Seth charged the ex-Governor with making a deal with the R. & D. Railroad by which it furnished a corruption fund to aid his election, agreeing upon his side to use its influence to prevent the sale of the State's stock in the company at a lower rate than should have been obtained and to favor the company in other ways.

Another charge was that a relative of the Governor had been kept for four years in the Federal Court as a prisoner, and that he was rarely at the office and collected his salary without giving any return.

## TORATIFY R. R. RATE AGREEMENT

North Carolina Legislature in Special Session—May Consider Prohibition.

RALPH, N. C., Jan. 21.—The Legislature convened to-day in special session to consider the passenger rate law. The opening day was taken up with the error message. The first part of the morning was told of the agreement with the railroads and the action of the Federal courts. Gov. Glenn said he had only one motive in upholding the law—simply to compel the railroads to recognize the State, their creator, as sovereign and supreme. He urged that the State should meet the railroads in the same spirit of fairness in which they came forward and agreed to the two and one-half cent rate and says that an approval of the terms agreed on will restore peace and harmony.

He also urged the Legislature to pass a State prohibition law at the present session. He said that the Governor's opinion as to both these questions among the Legislature, and President Charles A. Webb of the Senate says that indications point to one of the stormiest sessions ever held.

## BRIDAL FINERY CHEAP.

Brought Less at Uncle Sam's Sale Than the Duty on It.

The fifteen Parisian gowns imported by a Miss Todd and seized by the Government for the non-payment of customs duties and placed for inspection yesterday in Marshal Henkel's office were sold at auction at noon. The room was filled to overflowing with bidders, mostly women. The bidding was fairly brisk, though the lot did not bring within \$2,000 of the estimated value. The total amount realized was \$1,041, a sum falling short of the duty by \$102. A gold spangled empire gown brought by any one gown of the lot. The bridal gown and veil brought \$100 and the pink silk and lace opera cloak \$60. The trunk containing lingerie was knocked down for \$10.

## \$50,000 FOR NEW HOSE.

Investigation of the Fire Department Equipment Begins To-day.

The Board of Aldermen appropriated \$50,000 yesterday for the purchase of new fire hose. Fire Commissioner Lantry had asked for \$250,000, but pending the receipt of a report from Mr. Lantry on the exact condition of the hose of the department and how much of it was worn and in need of serviceable by repairs the Aldermen decided to give him only \$50,000 to go on with. In his application to the Board Commissioner Lantry urged the need of purchasing 2,000 feet of new hose for each firehouse.

The investigation ordered by the Mayor into the other equipment of the department will be begun this afternoon in the City Hall by the Commissioners of Accounts. Commissioner Lantry will be the first witness called.

## New Restriction on Savings Banks Bonds.

ALBANY, Jan. 21.—At the request of the State Banking Department Attorney-General Jackson has rendered an opinion to the effect that the payment of dividends required to qualify the bonds of railroad corporations as legal investments for savings banks must be in cash, and that the bonds of the Missouri Pacific Railway Company, heretofore legal investments for savings banks, could no longer be legal investments upon the expiration of a year within which it had not paid dividends in cash equal to at least 4 per centum upon all its outstanding capital stock.

## J. Addison Young Receiver for Another Westchester Trolley Company.

MOUNT VERNON, N. Y., Jan. 21.—Supreme Court Justice Mills to-day appointed J. Addison Young receiver for the Tarrytown, White Plains and Mamaroneck Railroad, which operates a trolley road between Tarrytown and Larchmont. Young was appointed receiver for the Westchester Electric Railroad last Saturday. Both companies are allied with the Union and Third Avenue systems, which, owing \$5,000,000, are now in the hands of a receiver.

## HEY! DAME, SQUEEN DAT GIG!

TIN'S DECREE FOR UPTOWN DINING ROOMS GOES.

They Do Say the Mayor Will Veto It—Still With Not an Alderman Daring to Vote No. What Is a Veto Worth—Solemn Discussion Over the Joke Ordinance.

Little Tim Sullivan's ordinance forbidding hotel and restaurant owners to allow women to smoke in public rooms was passed by the Aldermen yesterday without a nay, or by a vote of 73 to 0. It will undoubtedly be vetoed by the Mayor, on the ground that the Aldermen have no power in the matter.

It was the first vote of any importance that has been recorded in the new board and it went to show how thoroughly absolute is Little Tim's domination. Several speakers urged that the matter should be laid over for a week for the Corporation Counsel's opinion, but when it came to voting not even a Republican dared vote no. Alderman Gunther, the new leader of the Republican minority, has frankly stated that the Republicans can hope for nothing in the present board except by favor of Little Tim and there was no use disoblighing Tim about a harmless little ordinance.

There is a strong suspicion that Tim introduced the ordinance as a practical joke, but the board debated it with the utmost seriousness. Tim solemnly overruled a protest by Gunther that the Aldermen ought to find out that there had been no vote before trying to use it. That would be a novelty indeed "in parliamentary practice," said Tim.

Alderman Brown, the leader of the Manhattan Republicans, said the ordinance was class legislation.

"I don't believe," Mr. Brown went on, "that a certain well known politician went to a certain well known Broadway café on New Year's eve and asked for a table, and that he, when he was told that every table was engaged, replied that he would wait, and that, when he found he could not get the table, he said to the proprietor, 'Do you know who I am?' and when the proprietor replied that he did not, this certain politician said, 'Well, I am So-and-so and you will hear from me before long. I don't believe, of course, that anything of the kind really happened, but I heard that it did, and I thought that perhaps—"

"Will the gentleman yield to a question?" exclaimed Little Tim, jumping to his feet.

"Not at present," answered Mr. Brown, who went on to say that the ordinance was ridiculous.

"Alderman Brown has been using innuendoes," Little Tim finally got a chance to say. "I never went into a café on New Year's eve and asked for a table. I never asked for a table in a Broadway café in my life. The gentleman who has just spoken seems to be a qualified candidate for the Ananias club, and I will tell him that there is more morality in one block of my district than there is in the whole of the New Yorker district, which he so ably and fitfully represents. He has taken a long draw at something or he would not have been so melodious in his voice to make the misrepresentations he has made this afternoon."

Then they all voted except Mr. Brown, who didn't vote.

## GET LICENSES BY FOURS.

Two Couples Soon to Be Married Make a Joint Excursion.

The first quartet to visit the marriage license bureau at the City Hall dropped in yesterday afternoon. The couple, Mr. and Mrs. Edward Rush Duer and Anna Caldwell Whitehead and Charles Arthur Richards and Henrietta Low King.

Mr. Duer and Mr. Richards live together in bachelor apartments at 65 West Fifty-fourth street. Both are connected with the same exporting firm downtown. Mr. Duer is a nephew of Dr. Edward J. Duer of Philadelphia. Miss Whitehead is a daughter of A. Pennington Whitehead, a lawyer, of 29 East Seventy-seventh street. Miss King is a daughter of Mrs. Charles King of 567 Park avenue and a great-granddaughter of a former president of Columbia College.

Mr. Duer and Miss Whitehead are to be married February 26 and were going down to the City Hall to get their licenses. Mr. Richards and Miss King, who are to be married after Lent, joined them, and all four young people lined up together to give the necessary information to the license clerk.

## CARY SMITH WINS FROM CITY.

Naval Designer Gets Verdict for Work on Municipal Ferryboats.

Justice Greenbaum in the Supreme Court decided yesterday that the city owes A. Cary Smith, the naval designer, \$15,500 for the work he did in designing the municipal ferryboats. Smith had a contract with the city which he was to get a per cent. of the total cost of the boats as his commission for designing them. A dispute arose and Cary was told to stop his work, as another designer would be employed to complete the plans.

Smith sued for breach of contract, and Justice Greenbaum says that the city undoubtedly broke its contract with Smith and that he is entitled to a fair and reasonable remuneration for the work he actually performed. This should be reckoned, Justice Greenbaum says, on a basis of per cent. of the eventual cost of the boats instead of on the basis of 3 per cent. One per cent. figures out at \$14,500, which Justice Greenbaum awards him.

## Hughes Signs Wainwright Militia Bill.

ALBANY, Jan. 21.—Gov. Hughes to-night signed as Chapter I. of the Laws of 1908 Assemblyman Wainwright's bill to bring the National Guard of this State under the provisions of the Dick Federal Army reorganization scheme.

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The Board of Aldermen appropriated \$50,000 yesterday for the purchase of new fire hose. Fire Commissioner Lantry had asked for \$250,000, but pending the receipt of a report from Mr. Lantry on the exact condition of the hose of the department and how much of it was worn and in need of serviceable by repairs the Aldermen decided to give him only \$50,000 to go on with. In his application to the Board Commissioner Lantry urged the need of purchasing 2,000 feet of new hose for each firehouse.

The investigation ordered by the Mayor into the other equipment of the department will be begun this afternoon in the City Hall by the Commissioners of Accounts. Commissioner Lantry will be the first witness called.

## New Restriction on Savings Banks Bonds.

ALBANY, Jan. 21.—At the request of the State Banking Department Attorney-General Jackson has rendered an opinion to the effect that the payment of dividends required to qualify the bonds of railroad corporations as legal investments for savings banks must be in cash, and that the bonds of the Missouri Pacific Railway Company, heretofore legal investments for savings banks, could no longer be legal investments upon the expiration of a year within which it had not paid dividends in cash equal to at least 4 per centum upon all its outstanding capital stock.

## J. Addison Young Receiver for Another Westchester Trolley Company.

MOUNT VERNON, N. Y., Jan. 21.—Supreme Court Justice Mills to-day appointed J. Addison Young receiver for the Tarrytown, White Plains and Mamaroneck Railroad, which operates a trolley road between Tarrytown and Larchmont. Young was appointed receiver for the Westchester Electric Railroad last Saturday. Both